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| FORM PTO-1390 (Modified)<br>(REV 5-93)  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER   |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371  |   | 081356-0223  |
|   |   | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br>10/509,738 |
| INTERNATIONAL APPLICATION NO.<br>PCT/IP02/07622   | INTERNATIONAL FILING DATE<br>07/26/2002                 | PRIORITY DATE CLAIMED<br>04/01/2002                              |
| TITLE OF INVENTION<br>USE OF KIAA0172 GENE IN TREATMENT AND DIAGNOSIS OF DISEASES AS WELL AS IN PHARMACEUTICAL DEVELOPMENT <i>(As Amended)</i>  |   |  |
| APPLICANT(S) FOR DO/EO/US<br>Ryoichi KIYAMA, Keisuke KITAJIMA, Shinobu OGUCHI, Michio OISHI, Osamu OHARA & Takahiro NAGASE  |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |  |
| <ol style="list-style-type: none"><li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ul style="list-style-type: none"><li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li><input type="checkbox"/> has been communicated by the International Bureau.</li><li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li></ul></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ul style="list-style-type: none"><li><input type="checkbox"/> is attached hereto.</li><li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ul></li><li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ul style="list-style-type: none"><li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li><li><input type="checkbox"/> have been communicated by the International Bureau.</li><li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li><input type="checkbox"/> have not been made and will not be made.</li></ul></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol> |   |  |
| Items 11 to 20 below concern other document(s) or information included:   |   |  |
| <ol style="list-style-type: none"><li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input type="checkbox"/> A preliminary amendment.</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13<del>ter</del>2 and 37 CFR 1.821 – 1.825</li><li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: International Search Report &amp; 2 cited references.</li></ol>  |   |  |

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| NO. (If known, see 37 C.F.R. 1.50<br>10/509,738 | INTERNATIONAL APPLICATION NO.<br>PCT/JP02/07622 | ATTORNEY'S DOCKET NUMBER<br>081356-0223 |
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|  |                        |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
|--|------------------------|--------------|--------------|-------------|----|--------------|-----------|---|------------|---------|--------------------|----------|----|------------|---------|---|--|--|--|-------------|--------------------------------------|--|--|--|---------|--|--|
| 21. <input type="checkbox"/> The following fees are submitted:   | CALCULATIONS           | PTO USE ONLY |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>  |                        |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| Neither international preliminary examination fee (37 CFR 1.482)<br>nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO<br>and International Search Report not prepared by the EPO or JPO.....   | \$1,080.00             |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| International preliminary examination fee (37 CFR 1.482) not paid to<br>USPTO but International Search Report prepared by the EPO or JPO.....  | \$920.00               |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| No international preliminary examination fee (37 CFR 1.482) not paid to USPTO<br>but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....   | \$770.00               |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....   | \$730.00               |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>and all claims satisfied provisions of PCT Article 33(1)-(4) .....   | \$100.00               |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>  | \$ 0.00                |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months<br>from the earliest claimed priority date (37 CFR 1.492(e))   | \$ 0.00                |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">CLAIMS</td> <td style="width:20%;">NUMBER FILED</td> <td style="width:20%;">NUMBER EXTRA</td> <td style="width:20%;">RATE</td> <td style="width:20%;">\$</td> </tr> <tr> <td>Total Claims</td> <td>26 - 20 =</td> <td>6</td> <td>x \$ 18.00</td> <td>\$ 0.00</td> </tr> <tr> <td>Independent Claims</td> <td>13 - 3 =</td> <td>10</td> <td>x \$ 86.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$ 290.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 0.00</td> </tr> </table> | CLAIMS                 | NUMBER FILED | NUMBER EXTRA | RATE        | \$ | Total Claims | 26 - 20 = | 6 | x \$ 18.00 | \$ 0.00 | Independent Claims | 13 - 3 = | 10 | x \$ 86.00 | \$ 0.00 | MULTIPLE DEPENDENT CLAIM(S) (if applicable) |  |  |  | + \$ 290.00 | <b>TOTAL OF ABOVE CALCULATIONS =</b> |  |  |  | \$ 0.00 |  |  |
| CLAIMS   | NUMBER FILED           | NUMBER EXTRA | RATE         | \$          |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| Total Claims   | 26 - 20 =              | 6            | x \$ 18.00   | \$ 0.00     |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| Independent Claims   | 13 - 3 =               | 10           | x \$ 86.00   | \$ 0.00     |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |                        |              |              | + \$ 290.00 |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                        |              |              | \$ 0.00     |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are<br>reduced by 1/2.  | \$ 0.00                |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <b>SUBTOTAL =</b>  | \$ 0.00                |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| Processing fee of 130.00 for furnishing the English translation later than 30 months<br>from the earliest claimed priority date (37 CFR 1.492(f)).   | \$                     |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <b>TOTAL NATIONAL FEE =</b>  | \$ 0.00                |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property  | \$                     |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
| <b>TOTAL FEES ENCLOSED =</b>   | \$ 0.00                |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
|  | Amount to be refunded: |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |
|  | charged:               |              |              |             |    |              |           |   |            |         |                    |          |    |            |         |   |  |  |  |             |                                      |  |  |  |         |  |  |

  

a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 19-0741 in the amount of \$2308.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit  
Account No. 19-0741. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charge to a credit card. **WARNING:** Information on this form may become public. Credit card  
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Foley & Lardner LLP  
Customer Number: 22428

SIGNATURE  
 Stephen A. Bent  
 NAME  
 29,768  
 REGISTRATION NUMBER  
 Date: March 22, 2005